

FEDERAL COMMUNICATIONS COMMISSION
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June 25, 2010

Joseph L. Green, Jr., President
Hensley Broadcasting, Inc.
8 West Main Street
Shiremanstown, Pennsylvania 17011

Re: Hensley Broadcasting, Inc.
WWII (AM), Shiremanstown, Pennsylvania
Facility Identification Number: 26973
Special Temporary Authority

Dear Mr. Green:

This is in reference to the request filed June 24, 2010, on behalf of Hensley Broadcasting, Inc. ("HBI"). HBI requests special temporary authority ("STA") to operate Station WWII with temporary facilities.¹ In support of the request, HBI states that it has been served notice of a lawsuit filed by the owner of the licensed site, seeking to forcibly evict Station WWII from the property. HBI states that it has located a nearby site for a temporary wire antenna, and requests STA for operation with the wire antenna.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations may use a horizontal or vertical wire as an emergency antenna.

Accordingly, the request for STA IS HEREBY GRANTED. Station WWII may operate with the following facilities:

Geographic coordinates	40° 12' 58" N, 76° 58' 08" W (NAD 1927)
Frequency	720 KHz
Hours of operation	Daytime only
Operating power	Not to exceed 2 kW
Antenna type	Horizontal wire
Antenna efficiency	240 mV/m/km/kW
Overall height	18 meters (60')

¹ WWII is licensed for operation on 720 kHz with 2 kilowatts, daytime hours only, employing a nondirectional antenna (ND-D-D).

It will be necessary to further reduce power or cease operation if complaints of interference are received. HBI must notify the Commission when licensed operation is restored.² HBI must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **December 26, 2010**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a stylized flourish at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Hensley Broadcasting, Inc.

² *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).